

MEMORANDUM

March 6, 1986

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: EDITH M. NETTER, ASSISTANT DIRECTOR FOR LAND USE
AND ENVIRONMENTAL POLICY
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on twelve zoning petitions have been prepared by Authority staff for transmittal to the Board of Appeal.

<u>Categories</u>	<u>Recommendations</u>			
	<u>Approval</u>	<u>Denial</u>	<u>Denial w/o Prejudice</u>	<u>Deferral</u>
Residential conversions	4			
Major new housing or rehabilitation	1			1
Residential (building expansions, subdivisions, etc.)	1			
Parking; gas stations; repair garages	1	1		
Industrial; chemical storage				
Institutional	1			
Commercial; office; business				1
Hotels; restaurants		1		
Signs				

We recommend approval of four residential conversions:

- Z-8271. 243 Bunker Hill Street, Charlestown. Two-family dwelling.
- Z-8295. 44 Hampstead Road, Jamaica Plain. Three-family dwelling.
- Z-8404. 5 Pacific Street, South Boston. Three-family dwelling.
- Z-8274. 176 Minot Street, Dorchester. Three-family dwelling and professional office.

We recommend approval of one new housing referral:

- Z-8241. 15 North Beacon Street, Allston. 175 apartments

We recommend approval of one residential building expansion referral:

- Z-8347. 16R Union Street, Charlestown. Dormer addition.

ZONM/Y/030386

We recommend approval of one parking referral:

Z-8267. 40 Walnut Street, Hyde Park. Storage of towed cars.

We recommend denial of one restaurant referral:

Z-8246. 261-289 Huntington Avenue, Boston. Take-out restaurant.

We recommend approval of one institutional referral:

Z-8362. 330 Brookline Avenue, Boston. Hospital addition.

We recommend denial of one referral:

Z-8261. 3446 Washington Street, Jamaica Plain. Storage of propane.

We recommend deferral of two referrals:

Z-8252. 38-38A Worcester Square, Boston. Petitioner must meet with Neighborhood Association.

Z-8348. 11 Kimball Street, Dorchester. Appellant must address and resolve concerns.

BOARD OF APPEAL REFERRALS

March 6, 1986

Hearing

- | | | | |
|-----|--------|--------|--|
| 1. | Z-8241 | 3/4/86 | George Anthony
15 North Beacon Street, Allston |
| 2. | Z-8246 | 3/4/86 | George Haseotes
261-289 Huntington Avenue, Boston |
| 3. | Z-8252 | 3/4/86 | Theodoros Fotiadis
38-38A Worcester Square, Boston |
| 4. | Z-8261 | 3/4/86 | Morris Realty Trust
3446 Washington Street
Jamaica Plain |
| 5. | Z-8267 | 3/4/86 | Parkway Kustom Auto Body, Inc.
40 Walnut Street, Hyde Park |
| 6. | Z-8271 | 3/4/86 | Theresa M. Harrington
243 Bunker Hill Street, Charlestown |
| 7. | Z-8274 | 3/4/86 | Minot Realty Trust
176 Minot Street, Dorchester |
| 8. | Z-8295 | 3/4/86 | 44 Hampstead Road Trust
44 Hampstead Road, Jamaica Plain |
| 9. | Z-8347 | 3/4/86 | Patricia M. Curtis
16R Union Street, Charlestown |
| 10. | Z-8348 | 3/4/86 | Robert Raimondi
11 Kimball Street, Dorchester |
| 11. | Z-8362 | 3/4/86 | The Beth Israel Hospital Association
330 Brookline Avenue, Boston |
| 12. | Z-8404 | 3/4/86 | John Meola & Louis Cavagnaro, Jr.
5 Pacific Street, South Boston |

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JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 3/4/86 Z-8241
George Anthony
15 North Beacon Street
Allston

Site: 70,129 Square feet of land

District(s): General business (B-1) and manufacturing (M-1)

Purpose: Erect 10-story structure-175 apartments, five
offices, and a 200-car underground parking garage.

Violation(s): Multifamily dwelling is conditional use.

Insufficient lot area, open space, front, side
yards and setback of parapet.

Excessive floor area ratio, building height and
number of stories.

VOTED: In reference to petition Z-8241, George Anthony,
15 North Beacon Street, Allston, for conditional
use and nine variances to erect 10-story
structure-175 apartments, five offices, and a
200-car underground parking garage in a general
business (B-1) and manufacturing (M-1) districts,
the Boston Redevelopment Authority recommends
approval with the following provisos: Developer
will make available for purchase to Boston residents
with special consideration given to residents
of the Allston community, eight (8) two-bedroom
condominiums and four (4) one-bedroom condominiums
at purchase prices, which are consistent with
City of Boston affordability requirements, as
defined by the Department of Housing and Urban
Development as of October, 1985, for low- and
moderate-income households, paying no more than
30 percent of their adjusted gross income for
mortgage payments and condominium fees.

(continued)

AFFORDABLE HOUSING

DEFINITIONS AND GUIDELINES

FAMILY SIZE	LOW INCOME (Up to 50% of Median)	MAXIMUM MONTHLY HOUSING EXPENSE *
1	\$11,900	\$298 @ 30% GMI
2	\$13,600	\$340
3	\$15,300	\$383
4	\$17,000	\$425
5	\$18,350	\$459
6	\$19,700	\$493
7	\$21,100	\$528
8	\$22,450	\$561

FAMILY SIZE	MODERATE INCOME (Up to 80% of Median)	MAXIMUM MONTHLY HOUSING EXPENSE *
1	\$19,050	\$476 @ 30% GMI
2	\$21,750	\$544
3	\$24,500	\$613
4	\$27,200	\$680
5	\$28,900	\$723
6	\$30,600	\$765
7	\$32,300	\$808
8	\$34,000	\$850

* GMI = Gross Monthly Income

* Maximum housing cost as % of monthly income. In calculating possible purchase prices, this amount must include principal, interest, taxes and insurance and any relevant condominium fees.

Note also, that various financing subsidies use different guidelines for the allowable percent of monthly income. Adjust your calculations accordingly. (For example, MHFA allows 31% of gross monthly income for housing expense while some City of Boston Depts. lower the allowable housing expense for Low Income households from 30% to 25%, etc..)

Further, Developer will build a total of twenty (20) two- and three-bedroom single-family homes on City-owned land or the equivalent of said units at the City's option which will be sold at cost or for an average of \$70,000 per unit (including parking) whichever is lower. All below-market units will be subject to deed restrictions including owner occupancy requirements, resale restrictions and maximum income guidelines for owners in accordance with BRA and City of Boston policies. Marketing plans for all below-market units will be subject to BRA approval and policies; that the Developer will set aside 1,000 square feet of finished space to be used for a day care center. Said space will be leased to a vendor selected with BRA consultation at a rate of \$7.00 per square foot absolute net to the Developer with annual C.P.I. increases. Said lease will be for a

five-year term with the option to renew; that the Developer warrants that the building will not exceed ten (10) stories and will have a maximum height of ninety-two (92) feet, exclusive of H.V.A.C. systems and other appurtenances and will contain no more than 175 units; that appellant will remove two billboards on adjacent structure; and that the Boston Redevelopment Authority has design review.

Staff has worked extensively with Developer to negotiate these agreements. They will be set forth in the Agreement of Understanding between the Developer and the City.



Z-824 HIGH ROCK 15 NORTH BEACON ST. ALLSTON

Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8246
George Haseotes
261-289 Huntington Avenue
Boston

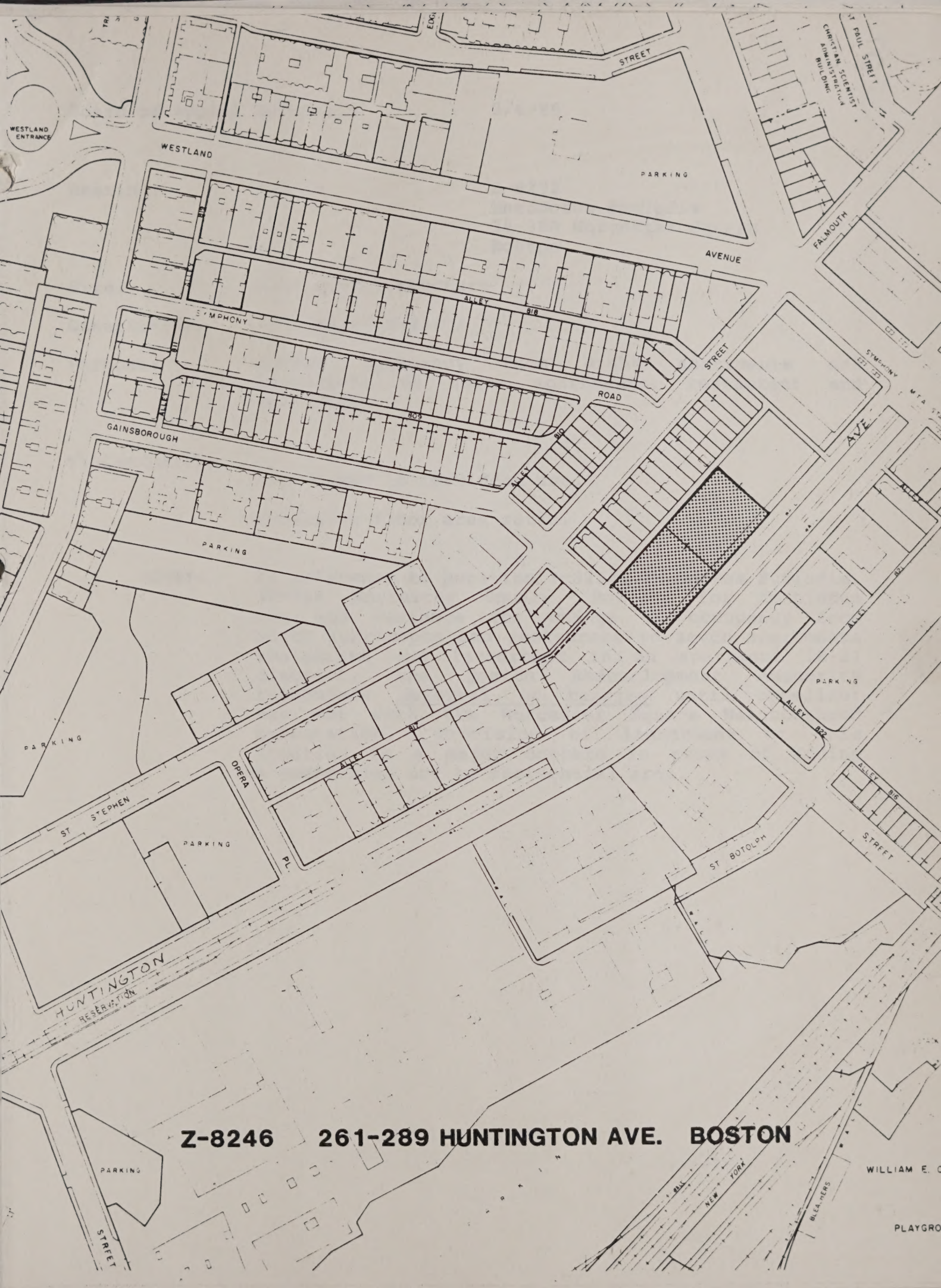
Site: Two-story structure

District(s): General business (B-2)

Purpose: Change occupancy from stores, offices and
restaurants to same and take-out restaurant
(Kentucky Fried Chicken).

Violation(s): Take-out restaurant is conditional use.

VOTED: In reference to petition Z-8246, George Haseotes,
261-289 Huntington Avenue, Boston, for conditional
use for change of occupancy from stores, offices,
and restaurants to same and take-out restaurant
(Kentucky Fried Chicken) in a general business
(B-2) district, the Boston Redevelopment Authority
recommends denial. The area is already overburdened
with similar restaurants. Use would intensify
existing acute traffic and parking conditions
on Huntington Avenue, a major artery.



Z-8246 261-289 HUNTINGTON AVE. BOSTON

WILLIAM E. C.

PLAYGRO

Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8252
Theodoros Fotiadis
38-38A Worcester Square
Boston

Site: Four-story structure

District(s): Apartment (H-2)

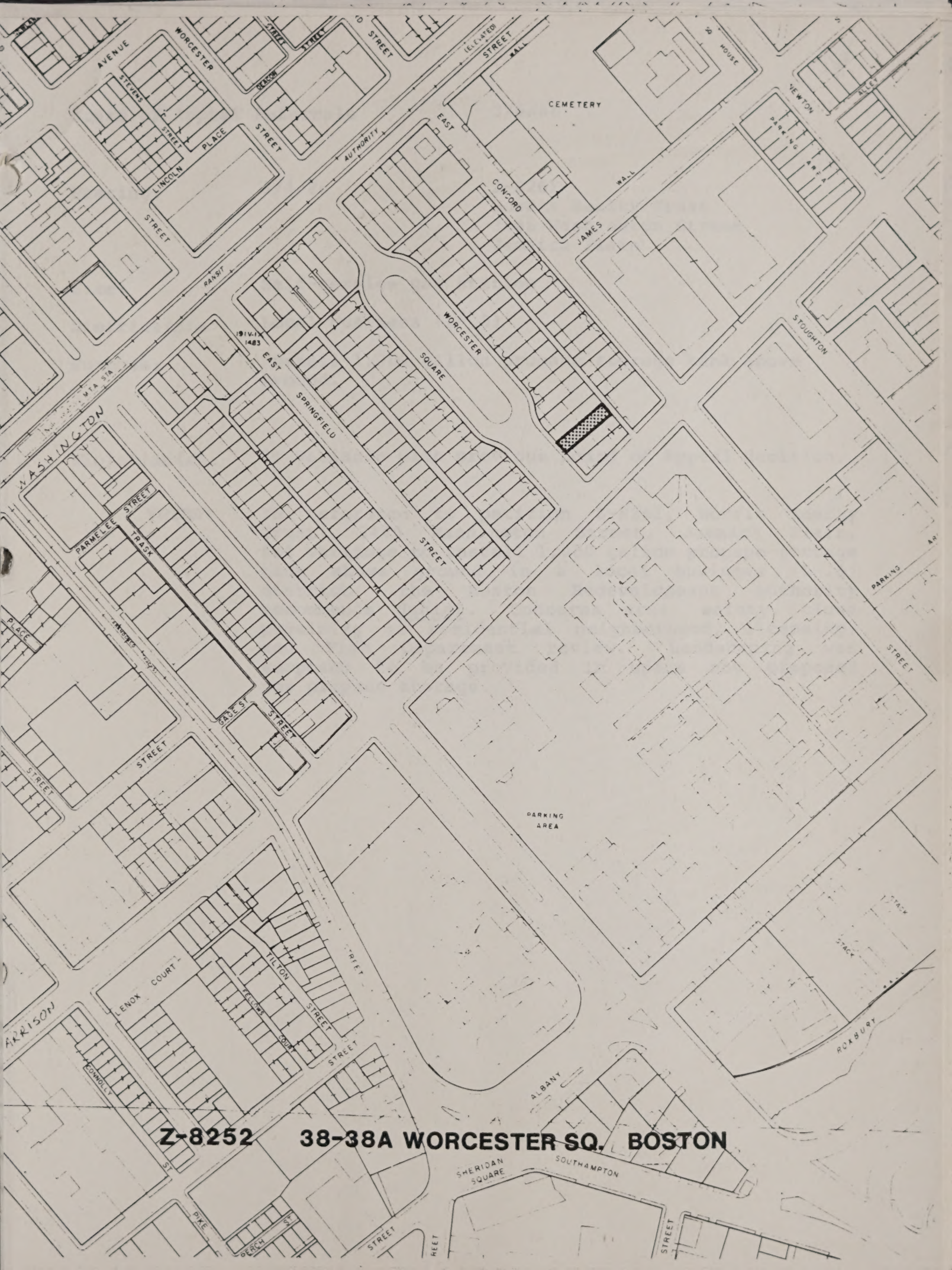
Purpose: Change occupancy from eight apartments and restaurant to seven apartments, restaurant and laundromat.

Violation(s):

Laundromat is forbidden use.

Excessive floor area ratio.

VOTED: In reference to petition Z-8252, Theodoros Fotiadis, 38-38A Worcester Square, Boston, for forbidden use and variance for change of occupancy from eight apartments and restaurant to seven apartments restaurant and laundromat in an apartment (H-2) district, the Boston Redevelopment Authority recommends deferral of hearing until appellant has met with the Worcester Square Neighborhood Association. Provision of laundromat at this location is a major concern in terms of adding a commercial use to residential area.



Z-8252

38-38A WORCESTER SQ. BOSTON

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Board of Appeal Referrals

3/6/86

Hearing: 3/4/86

Z-8261
Morris Realty Trust
3446 Washington Street
Jamaica Plain

Site: Self-service gas station

District(s): Local business (L-.5)

Purpose: Install 1,000 gallon propane storage tank above ground.

Violation(s): At variance with previous Board of Appeal decision.

VOTED: In reference to petition Z-8261, Morris Realty Trust, 3446 Washington Street, Jamaica Plain, for variance to install 1,000 gallon propane storage tank above ground in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial. Concerns are: safety, close proximity to residential neighborhood, licensing, and Fire Department review. Landscaping was supposed to be provided in space now proposed for propane storage.

Z-8261

3446 WASHINGTON ST.

JAMAICA PLAIN



Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8267
Parkway Kustom Auto Body, Inc.
40 Walnut Street
Hyde Park

Site: Vacant land

District(s): Manufacturing (M-1)

Purpose: Use premises for storage of 125 towed cars.

Violation(s): Outdoor storage of damaged or disabled motor vehicles
is conditional use.

VOTED: In reference to petition Z-8267, Parkway Kustom Auto Body, Inc., 40 Walnut Street, Hyde Park, for conditional use for storage of 125 towed cars in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval with the following proviso: that use expire May 31, 1987, or upon termination of contract with City prior thereto. Use, storage of cars towed under contract with Boston Police Department, has existed one year. Land previously used for storage of heavy construction vehicles.

Z-8267

40 WALNUT ST. HYDE PARK



Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8271
Theresa M. Harrington
243 Bunker Hill Street
Charlestown

Site: 2½-Story structure

District(s): Local business (L-1)

Purpose: Change occupancy from one- to two-family dwelling;
erect two-story rear addition.

Violation(s): Dwelling converted for more families is forbidden
use.

Insufficient lot area and open space.

Excessive floor area ratio.

VOTED: In reference to petition Z-8271,
Theresa M. Harrington, 243 Bunker Hill Street,
Charlestown, for forbidden use and three variances
for change of occupancy from one- to two-family
dwelling and erect two-story rear addition in
a local business (L-1) district, the Boston
Redevelopment Authority recommends approval with
proviso that plans are submitted to the Authority
for design review approval. Two-family dwelling
compatilbe with residential-local business area.



Z-8271

243 BUNKER HILL ST. CHARLESTOWN

Board of Appeal Referrals

3/6/86

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Hearing: 3/4/86 Z-8274
Minot Realty Trust
176 Minot Street
Dorchester

Site: Three-story structure

District(s): Residential, two-family (R-.5)

Purpose: Change occupancy from three apartments to same
and professional office.

Violation(s): Professional office is forbidden use.
Excessive floor area ratio.

VOTED: In reference to petition Z-8274, Minot Realty Trust, 176 Minot Street, Dorchester, for forbidden use and variance for change of occupancy from three apartments to same and professional office in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that office use extend to appellant only and expire upon sale, lease, or other disposition of property; that plans be submitted to the Authority for design review approval; and that arrangements be made with abutting store to provide off-street parking.



Z-8274

176 MINOT ST. DORCHESTER

Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8295
44 Hampstead Road Trust
44 Hampstead Road
Jamaica Plain

Site: 2½-Story structure

District(s): Single-family (S-.5)

Purpose: Change occupancy from two- to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.
Insufficient lot area.

VOTED: In reference to petition Z-8295, 44 Hampstead Road Trust, 44 Hampstead Road, Jamaica Plain, for forbidden use and variance for change of occupancy from two- to three-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval with proviso that a minimum of three off-street parking spaces be provided. Occupancy is compatible with mixed one-, two- and three-family neighborhood.



Z-8295

44 HAMPSTEAD RD. JAMAICA PLAIN

Board of Appeal Referrals

3/6/86

Hearing: 3/4/86

Z-8347
Patricia M. Curtis
16R Union Street
Charlestown

Site: Three-story structure

District(s): General business (B-2)

Purpose: Erect three rear porches and dormer addition to three-family dwelling.

Violation(s): Insufficient rear yard.

VOTED: In reference to petition Z-8347, Patricia M. Curtis, 16R Union Street, Charlestown, for variance to erect three rear porches and dormer addition to three-family dwelling in a general business (B-2) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans for dormer addition be submitted to the Authority for design review approval. Submitted plans do not indicate proposed rear porches. Structure is coincident with rear lot line. Separate application and plans for porch construction should be filed.



Z-8347

16 R UNION ST. CHARLESTOWN

Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8348
Robert Raimondi
11 Kimball Street
Dorchester

Site: 8,519 Square feet of land

District(s): General business (B-1) and residential, three-family (R-.8)

Purpose: Erect three-story 16-unit apartment structure.

Violation(s): Off-street parking not allowed in required front yard nor within five feet of side lot line.

Insufficient lot area, open space and side yard.

Excessive floor area ratio.

VOTED: In reference to petition Z-8348, Robert Raimondi, 11 Kimball Street, Dorchester, for five variances to erect a three-story 16-unit apartment structure in residential (R-.8) and general business (B-1) districts, the Boston Redevelopment Authority recommends deferral of hearing until appellant has met with community to address density, parking, circulation and landscaping concerns. Authority is currently working with developer to provide adequate traffic flow along Kimball Street. Project will provide much needed rental housing and eliminate a vacant lot.



Z-8348 11 KIMBALL ST DORCHESTER

Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8362
The Beth Israel Hospital Association
330 Brookline Avenue
Boston

Site: Twelve-story structure

District(s): Apartment (H-3)

Purpose: Erect three-story addition to hospital structure.

Violation(s): Extension of conditional use.

VOTED: In reference to petition Z-8362, The Beth Israel Hospital Association, 330 Brookline Avenue, Boston, for conditional use to erect three-story addition to hospital structure in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval. Location of Magnetic Resonance Imaging addition will provide the appellant with modern medical and scientific capabilities consistent with a teaching hospital and will be within the complex and not visible from public street. Facility will increase patient visits by only approximately eight persons per day.



Z-8362

330 BROOKLINE AVE. BOSTON

Board of Appeal Referrals

3/6/86

Hearing: 3/4/86 Z-8404
John Meola & Louis N. Cavagnaro, Jr.
5 Pacific Street
South Boston

Site: 3½-Story structure

District(s): Apartment (H-1-50)

Purpose: Legalize occupancy as three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and open space.

Excessive floor area ratio.

VOTED: In reference to petition Z-8404, John Meola & Louis M. Cavagnaro, Jr., 5 Pacific Street, South Boston, for forbidden use and three variances to legalize occupancy for three apartments in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. No record of legal occupancy. Three-family dwelling consistent with residential neighborhood. Substantial renovation.



Z-8404 5 PACIFIC ST. SOUTH BOSTON

Document # 4718

BOARD OF APPEAL REFERRALS

March 6, 1986

<u>BRA Rec.</u>	<u>BoA Dec</u>		<u>Hearing</u>	
A-P*	A-DR	1. Z-8241	3/4/86	George Anthony 15 North Beacon Street, Allston
D	D	2. Z-8246	3/4/86	George Haseotes 261-289 Huntington Avenue, Boston
Defer	Defer 4/8/86	3. Z-8252	3/4/86	Theodoros Fotiadis 38-38A Worcester Square, Boston
D	D	4. Z-8261	3/4/86	Morris Realty Trust 3446 Washington Street Jamaica Plain
A-P	Defer	5. Z-8267	3/4/86	Parkway Kustom Auto Body, Inc. 40 Walnut Street, Hyde Park
A-P	A-DR	6. Z-8271	3/4/86	Theresa M. Harrington 243 Bunker Hill Street, Charlestown
A-P	A-DR	7. Z-8274	3/4/86	Minot Realty Trust 176 Minot Street, Dorchester
A-P	A-DR	8. Z-8295	3/4/86	44 Hampstead Road Trust 44 Hampstead Road, Jamaica Plain
A-DR	A-DR	9. Z-8347	3/4/86	Patricia M. Curtis 16R Union Street, Charlestown
Defer	Defer 4/8/86	10. Z-8348	3/4/86	Robert Raimondi 11 Kimball Street, Dorchester
A	A	11. Z-8362	3/4/86	The Beth Israel Hospital Association 330 Brookline Avenue, Boston
A	A-DR	12. Z-8404	3/4/86	John Meola & Louis Cavagnaro, Jr. 5 Pacific Street, South Boston

Design review and other provisos.